

**MINUTES
TOWN OF EDGEWOOD
FEBRUARY 18, 2009 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

1. CALL TO ORDER.

Mayor Stearley called the Meeting to order at 6:30 P.M. All Councilors were present with the exception of Councilor Abrams.

Also present were Ms. Karen Mahalick, Community Planning & Development Manager and Ms. Estefanie Muller, Clerk-Treasurer.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA.

MOTION: Councilor Felton made a motion to approve the Agenda as presented. Councilor Simmons seconded the motion.

VOTE: Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

4. MATTERS FROM THE MAYOR.

A. Appointment of Interim Police Chief.

Mayor Stearley stated Mr. Chuck Ring, Deputy Chuck Neely and he interviewed three candidates for the position of Interim Police Chief and at this time he would like to appoint Mr. Charles Swanberg as Interim Police Chief.

MOTION: Councilor Simmons made a motion to approve the appointment of Mr. Charles Swanberg as Interim Police Chief. Councilor Hill seconded the motion.

VOTE: Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

B. Report on Projects.

Mayor Stearley stated he would bring a proposal for a Town Administrator to the Council Meeting of March 4, 2009.

At this time Councilor Abrams was present.

Mayor Stearley reported on the Library and the number of patron visits and number of books checked out.

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Mayor Stearley stated a copy of the Sign Ordinance will be sent to the Council and can be viewed on the Town website.

Mayor Stearley updated on an economic development request, a spreadsheet has been submitted to Ms. McCormick. He also sent the same information to Senator Udall's office. If Council has any changes, please contact the office.

5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Simmons gave the Council her new e-mail address. She also stated she had attended the School Board meeting. Mr. Holden will update with his report on the meeting.

6. MATTERS FROM THE ATTORNEY.

None.

7. COLLECTION LINE ROUTE BID – Mr. Jerry May.

Mr. May discussed with Council the requirement to re-bid and the events that led up to this re-bid. NMDOT had mis-permitted the area along the Interstate. This section will have to be taken out of the project. He discussed the changes for some of the man-holes and piping, reproducing the specifications, revises the advertisement, pre-bid meeting, open and tabulate the bids received, have a pre-construction meeting. Approximately three weeks of inspections will need to be put back into the project. Mr. May could have this ready in 30 days. He reviewed with Council the route for the sewer lines. Ms. Mahalick asked Council to approve going out to bid. Councilor Hill asked if this could be phased out to which Ms. Mahalick stated yes. Mr. May stated this would still be within budget.

MOTION: Councilor Hill made a motion to move forward on the collection line rebid to include the redesign of the western portion of Highway 333 right-of-way from Plaza Loop to Eunice Court. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

8. PUBLIC COMMENTS. (Limit to 2 minutes per person).

Note: If you plan to testify under Public Hearings, please do not sign up for this topic.

Mr. Chuck Ring discussed the sewer and encouraged completing the lines. He discussed the lowering of the existing manholes. Mr. May stated existing utilities are unknown until you start to dig. Ms. Mahalick discussed the signal lines and how no as-builts are available from NMDOT. The Town would be responsible if any lines are cut. Councilor Hill stated perhaps talking the New Mexico Municipal League and having legislation that would interact with municipalities.

9. EDGEWOOD POLICE DEPARTMENT REPORT – Chief Swanberg.

Chief Swanberg stated one officer had resigned and another resignation will be coming in from Mr. Lorenzo Mata as he has taken another position in a neighboring county. He stated his primary duty will be to have adequate Policy Procedures addressed and the needed training for officers. He is also working on the needed equipment and uniforms.

Mayor Stearley stated he had spoken to the Chief on speeders in the school zone on Dinkle Road and 344. The radar trailer was placed in the area along with an officer and six citations were issued.

10. PARKS & RECREATION REPORT – Mr. Roger Holden.

C. Report for the month of January

Mr. Holden reviewed his report with the Council.

He updated the Council on his attendance at the school board meeting and Ms. Audrey Jaramillo had presented a report for the EASY Program (Edgewood After School Youth Program). Discussed were the facilities and the bus situation. A representative from Shining Star was present who runs an after and before school program. Shining Star would like the Town to hire her staff and take over the program. Ms. Karen Couch would like to merge the program. A meeting is scheduled. Mayor Stearley stated this could be looked into and maybe chip in some revenue and expand on this. Mr. Holden stated the program would include homework as a priority. Currently there are 50 students and as many as 278 students might attend pending the cost factor and time of service. Councilor Felton expressed his concern on moving into a quick merger with Shining Star. The Council would need to look at Shining Star's program offer and the validity. Councilor Felton stated he had spoken to Ms. Jaramillo on looking into funding through the Children, Youth & Families Department. Mr. Holden stated he is looking into possible grants.

D. Minutes for the month of September 25, 2008

Note: No minutes available for Oct, Nov, Dec due to lack of quorum.

Mr. Holden asked Council if they had any questions on the minutes presented. He reminded Council of the upcoming COW Awards.

11. COMMUNITY DEVELOPMENT REPORT – Ms. Karen Mahalick.

E. Wastewater Rate Study.

Ms. Mahalick stated Mayor Stearley and she had met with Mr. Jerry May to discuss a proposal for a Rate Study Plan. Mr. May discussed having a "Wastewater Asset Management Plan" for future emergency funds. This plan is needed in place in order to request any type of funds. He outlined the plan: 1. Asset inventory (what are the assets, locations, what condition are they in, remaining life span and the value of the assets). 2. Level of service (definition of services to customers, customer communication plan, system operation and maintenance and reporting of information to customers). 3. Critical assets (what are the critical points and assessment). 4. Life cycle costing (repair or replacement costs, capital improvements planning). 5. Long term funding strategy (identify what resources available, sett rate structure and develop long term funding).

Mr. May stated NMED produces surveys for water and wastewater rates from other municipalities. Rates could be compared from other municipalities the size of Edgewood.

Mayor Stearley stated costs to run the sewer would be needed for the budget preparation due by June 1st to DFA. Councilor Hill inquired on the status of Lone Pine proposed development. Mayor Stearley and Ms. Mahalick discussed scheduling a meeting with them to discuss sewer rate status, and will bring back information to them.

MOTION: Councilor Felton made a motion to authorize the rate study and Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

F. Frost Road Change Order No. 3.

Mr. Mahoney, Dennis Engineering stated Change Order No. 3 monetarily adjusts the contract to be reduced approximately \$4100.00. The contractor did not use as much material as anticipated for paving or the rip-rap.

MOTION: Councilor Hill made a motion to approve Change Order No. 3. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

G. Certification of Substantial Completion for Frost Road.

Mr. Mahoney stated he has a list of items for completion of the project. He discussed the list, the fence repair, seeding and the wood chip mulch. The Council expressed concern on the seed germination to which Mr. Mahoney discussed the use of the fungicide and mulch.

MOTION: Councilor Hill made a motion to accept the Certification of Substantial Completion for Frost Road. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

12. SECTION 16 PLANNING MEETING – FEBRUARY 21, 2009 @ 1:00 P.M.

H. Discuss Agenda for Section 16 Meeting.

Ms. Mahalick outlined the discussion planned for the meeting. Animal Control will have a power point for the Regional Animal Facility. Parks and Recreation will review the progress on the field. Community Development will have plans for the Municipal Facilities along with the architectural drawings from 2001-2002. Ms. Mahalick stated the

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public could rate the concepts. The I.C.I.P. information will be available. Councilor Felton requested the cost of each project and commented on the gross receipts tax or borrowing with property tax. Councilor Hill stated Mr. Jerry Hill will attend the meeting and the Town needs to identify all of Section 16 for public use and that the Town does not lose any property. Mr. Tappan Mahoney stated the grading & drainage work is complete. Earth work quantities are identified and needs to schedule a meeting with the Town to discuss.

13. RESOLUTIONS.

I. Budget Resolution No. 2009-15 – Increase to 08-09 Budget.

MOTION: Councilor Simmons made a motion to approve Budget Resolution No. 2009-15. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

J. Resolution No. 2009-16 – Municipal Arterial Program (MAP) Participation.

MOTION: Councilor Hill made a motion to approve Resolution No. 2009-16. Councilor Simmons voted aye.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

K. Resolution No. 2009-17 – Local Government Road Fund Participation.

MOTION: Councilor Simmons made a motion to approve Resolution No. 2009-17. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

14. FINANCE AND ADMINISTRATION.

L. Approval of Town Bills.

MOTION: Councilor Simmons made a motion to approve the Town bills. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

M. Approval of Financial Report for the month of January, 2009.

MOTION: Councilor Simmons made a motion to approve the Financial Report for the month of January, 2009. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

15. ACKNOWLEDGE RECEIPT OF THE ENERGY COMMITTEE MEETING MINUTES – Councilor John Abrams.

N. Committee Meeting Minutes of January 17, 2009.

O. Committee Meeting Minutes of January 31, 2009.

MOTION: Councilor Felton made a motion to acknowledge receipt of the Energy Committee Meeting Minutes of January 17th and January 31st, 2009. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

16. APPROVAL OF PREVIOUS MINUTES.

P. Regular Council Meeting Minutes of February 4, 2009.

MOTION: Councilor Simmons made a motion to approve the Minutes as amended on page 3 under Public Hearings, to state “ Councilor Felton suggested that this be worked through tonight. *Mayor Stearley* added the fact that there.....” Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

Q. Emergency Council Meeting Minutes of February 7, 2009.

MOTION: Councilor Simmons made a motion to approve the Minutes as presented. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

17. ACKNOWLEDGEMENT OF PLANNING & ZONING COMMISSION MEETING MINUTES.

R. Regular Planning & Zoning Commission Meeting of February 2, 2009.

MOTION: Councilor Simmons made a motion to acknowledge receipt of the Planning & Zoning Commission Meeting Minutes of February 2, 2009. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

18. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.

S. Regular Council Meeting – March 4, 2009.

T. Regular Council Meeting – March 18, 2009.

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19. CLOSED SESSION.

As per motion and roll call voted, pursuant to NMSA 1978, 10-15-(H)(7) the following will be discussed in Closed Session.

- Pending Litigation.

MOTION: Councilor Hill made a motion to go into Closed Session. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

MOTION: Councilor Hill made a motion to return to Open Session. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

MOTION: Councilor Hill made a motion to affirm that only the item listed was discussed and no action was taken. Councilor Felton affirmed. Councilor Abrams affirmed. Mayor Stearley affirmed. Councilor Hill affirmed. Councilor Simmons affirmed. The motion carried.

20. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting.

VOTE: All Councilors voted aye.

Mayor Stearley adjourned the meeting at 8:47 P.M.

PASSED, APPROVED AND ADOPTED this 4th day of MARCH, 2009.

Honorable Robert Stearley, Mayor

ATTEST:

Estefanie B. Muller, Clerk-Treasurer